

a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe, I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD OF PERFORMING SURGERY**, the specification of which

(check one) ☐ is attached hereto.

☒ was filed on August 28, 2001

as Application Serial No.

09/941,185

and was amended on \_\_\_\_\_

(if applicable).

☐ was filed on \_\_\_\_\_

as International Application No.

and was amended on \_\_\_\_\_

by ☐ Preliminary Amendment

☐ Article 19;

☐ Article 34

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or §365 of any foreign application(s) for patent or inventor's certificate or §365 of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or §365 of any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s):

|                   |                    |                                 |  |
|-------------------|--------------------|---------------------------------|--|
| _____<br>(Number) | _____<br>(Country) | _____<br>(Day/Month/Year Filed) | Priority Claimed<br><input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____<br>(Number) | _____<br>(Country) | _____<br>(Day/Month/Year Filed) | <input type="checkbox"/> Yes <input type="checkbox"/> No                     |

I hereby claim the benefit under United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|   |   |   |
|---|---|---|
| <u>09/737,380</u><br>(Application Serial No.) | <u>December 15, 2000</u><br>(Filing Date) | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/815,405</u><br>(Application Serial No.) | <u>March 22, 2001</u><br>(Filing Date)    | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/569,020</u><br>(Application Serial No.) | <u>May 11, 2000</u><br>(Filing Date)      | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/483,676</u><br>(Application Serial No.) | <u>January 14, 2000</u><br>(Filing Date)  | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/602,743</u><br>(Application Serial No.) | <u>June 23, 2000</u><br>(Filing Date)     | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/526,949</u><br>(Application Serial No.) | <u>March 16, 2000</u><br>(Filing Date)    | <u>pending</u><br>(Status-patented, pending, abandoned) |
| <u>09/789,621</u><br>(Application Serial No.) | <u>February 21, 2001</u><br>(Filing Date) | <u>pending</u><br>(Status-patented, pending, abandoned) |

Power of Attorney: as a named inventor, I hereby appoint the following attorneys: Thomas L. Tarolli, Reg. No. 20,177; Robert B. Sundheim, Reg. No. 20,127; Calvin G. Covell, Reg. No. 24,042; Barry L. Tummino, Reg. No. 29,709; Paul E. Szabo, Reg. No. 30,429; James L. Tarolli, Reg. No. 36,029; Richard S. Wesorick, Reg. No. 40,871, each with full powers of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: **TAROLLI, SUNDHEIM, COVELL, TUMMINO & SZABO, LLP**  
526 SUPERIOR AVENUE, SUITE 1111, CLEVELAND, OH 44114.

DIRECT CALLS TO: **CALVIN G. COVELL** (216) 621-2234.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements any jeopardize the validity of the application or any patent issued thereon.

1) Full name of sole or first inventor Peter M. Bonutti

Inventor's signature

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Date

Citizenship

County

11/5/01  
USA

Effingham



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

Commissioner for Patents  
Washington, DC 20231  
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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-------------|-----------------------|------------------------|
| 09/941,185         | 08/28/2001  | Peter M. Bonutti      | BON-5837               |

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CONFIRMATION NO. 7314



\*OC000000009919490\*

Date Mailed: 04/28/2003

### NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/25/2003.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

  
DORRETTA BROOKS  
3700 (703) 305-5194

ATTORNEY/APPLICANT COPY

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CONFIRMATION NO. 7314



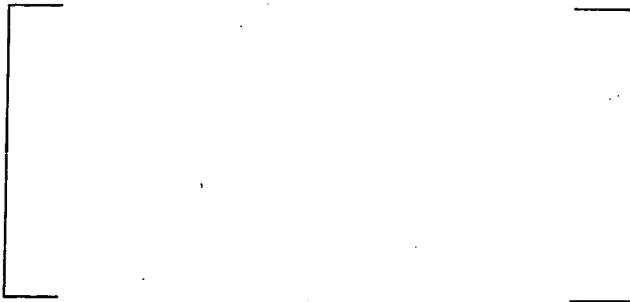
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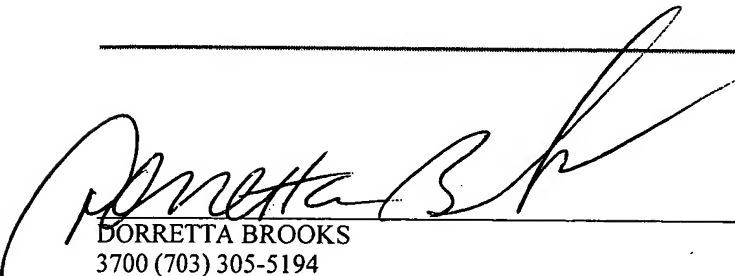
Date Mailed: 04/28/2003

### NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/25/2003.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).



  
DORRETTA BROOKS  
3700 (703) 305-5194

NEW ATTORNEY/AGENT COPY